

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

Case No. MJ21-604

V.

DETENTION ORDER

FRANCISCO LUIS RODRIGUEZ,

Defendant.

Offenses charged:

Mr. Rodriguez is charged with assault of a federal officer, 18 U.S.C. §§ 111(a)(1) and (b), and using a firearm during a crime of violence, 18 U.S.C. §§ 924(c)(1)(A)(i)-(iii). The Court held a detention hearing on December 14, 2021, pursuant to 18 U.S.C. § 3142(f), and based upon the reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. There is a rebuttable presumption of detention pursuant to 18 U.S.C. § 3142(e).
2. Mr. Rodriguez stipulated to detention.
3. Mr. Rodriguez poses a risk of nonappearance based on his conduct during the arrest for the instant offenses; nature of the pending charges; history of failure to appear;

1 and criminal activity while other charges are pending.

2 4. Mr. Rodriguez poses a risk of danger based on the nature of the instant offenses; a
3 pattern of similar charges; and possession of a firearm.

4 5. Based on these findings, and for the reasons stated on the record, there does not
5 appear to be any condition or combination of conditions that will reasonably assure
6 Mr. Rodriguez's appearance at future court hearings while addressing the danger
7 to other persons or the community.

8 6. Taken as a whole, the record does not effectively rebut the presumption that no
9 condition or combination of conditions will reasonably assure the appearance of
10 Mr. Rodriguez as required and the safety of the community.

11 IT IS THEREFORE ORDERED:

12 (1) Mr. Rodriguez shall be detained pending trial, and committed to the custody of
13 the Attorney General for confinement in a correction facility separate, to the
14 extent practicable, from persons awaiting or serving sentences or being held in
15 custody pending appeal;

16 (2) Mr. Rodriguez shall be afforded reasonable opportunity for private consultation
17 with counsel;

18 (3) To the extent the U.S. Marshals Service determines safety concerns are not
19 prohibitive, and in compliance with Harborview Hospital's COVID protocols, Mr.
20 Rodriguez should be afforded the same visitations rights he would have at the
21 Federal Detention Center;

22 (4) On order of a court of the United States or on request of an attorney for the
23 government, the person in charge of the corrections facility in which Mr.

1 Rodriguez is confined shall deliver him to a United States Marshal for the purpose
2 of an appearance in connection with a court proceeding; and

3 (5) The Clerk shall direct copies of this Order to counsel for the United States, to
4 counsel for Mr. Rodriguez, to the United States Marshal, and to the United States
5 Pretrial Services Officer.

6 Dated this 14th day of December, 2021.

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9 MICHELLE L. PETERSON
10 United States Magistrate Judge
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